

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA

v.

Case No.: ~~Case No.~~

25-mj-63-amb

MARIO GOVEA-MONARCA,

Defendant.

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COMPLAINT FOR VIOLATION OF TITLE 8, UNITED STATES CODE, SECTION 1326

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BEFORE United States Magistrate Judge  
Anita Marie Boor

United States District Court  
120 North Henry Street  
Madison, Wisconsin 53703

The undersigned complainant being duly sworn states

**COUNT 1**

On or about November 29, 2023, in the Western District of Wisconsin, the  
defendant,

MARIO GOVEA-MONARCA,

an alien, was found in the United States after having been removed, and not having  
obtained the express consent of the United States Attorney General or the Secretary of  
Homeland Security to reapply for admission to the United States.

(In violation of Title 8, United States Code, Section 1326)

This complaint is based on the attached affidavit of Brett Kubiszewski.

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Brett Kubiszewski

Deportation Officer Immigration and  
Customs Enforcement

~~Sworn~~ <sup>telephonically</sup> to ~~before~~ me this 14<sup>th</sup> day of April 2025.

Anita Marie Book  
HONORABLE ANITA MARIE BOOR  
United States Magistrate Judge

COUNTY OF DANE                                 )  
  ) ss  
STATE OF WISCONSIN                         )

**AFFIDAVIT**

I, Brett Kubiszewski, first being duly sworn under oath, hereby depose and state as follows:

1.       I am a Deportation Officer with the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE). I have been employed by the DHS as a designated Immigration Officer since 2008. I am currently assigned to the Chicago Field Office, Madison Sub-Office, Criminal Alien Program. During my tenure with DHS, I have investigated both criminal and administrative violations of the laws of the United States.

2.       This affidavit is submitted in support of an application for a complaint charging MARIO GOVEA-MONARCA with violating Title 8, United States Code, Section 1326. As set forth below, GOVEA-MONARCA is an alien who was previously removed and then found in the United States after intentionally reentering the United States without having previously obtained the express consent of the United States Attorney General or the Secretary of the Department of Homeland Security to reapply for admission into the United States.

3.       This affidavit is based on my personal involvement in this investigation, my training and experience, my review of ICE records, and information supplied to me by other law enforcement officers. It does not include all the information I know about this investigation, but rather only those facts that I believe are sufficient to establish probable cause.

4. On April 30, 2021, the Brown County District Attorney's Office filed charges against GOVEA-MONARCA based on an assault that had occurred the day before (April 29). In Brown County Circuit Court Case No. 2021CF721, GOVEA-MONARCA was charged with first degree recklessly endangering safety, disorderly conduct, and possession of THC.

5. On June 16, 2021, ICE agents arrested and detained GOVEA-MONARCA after he posted cash bond in Brown County Circuit Court Case No. 2021CF721.

6. According to ICE records, on June 23, 2021, GOVEA-MONARCA was removed from the United States on foot from Brownsville, Texas to Mexico via an immigration judge's removal order. Federal immigration officers witnessed GOVEA-MONARCA's removal from the United States to Mexico.

7. On November 29, 2023, the Eau Claire Sherriff's Office arrested GOVEA-MONARCA on an open warrant related to Brown County Circuit Court Case No. 2021CF721 and booked him into the Eau Claire County Jail.

8. Eau Claire County is in the Western District of Wisconsin.

9. After his November 2023 arrest, GOVEA-MONARCA's fingerprints and photograph were taken and electronically submitted to federal law enforcement databases, including IAFIS (Integrated Automated Fingerprint Identification System) and IDENT (Automated Biometric Matching System). These databases, among other things, electronically compare fingerprints and other biometric data from recent arrestees with fingerprints and biometric data from individuals previously encountered by law enforcement.

10. After GOVEA-MONARCA's fingerprints were submitted to Department of Justice and DHS databases by the Eau Claire County Jail, they electronically matched to FBI# L1A3XPJW4, which is associated with GOVEA-MONARCA, Alien Registration No: 201 438 219.

11. I reviewed documents from Alien Registration File (A-File) No. 201 438 219. This A-File number is assigned to GOVEA-MONARCA. An A-File is the file DHS maintains for non-citizens with civil immigration or law enforcement encounters. The A-File number corresponds to the non-citizen's Alien Registration Number. These files contain, among other things, prior encounters with United States Border Patrol and ICE, criminal history information, immigration documents, fingerprints, and photographs.

12. Information within GOVEA-MONARCA's A-File shows that he is a citizen and national of Mexico. For example, the A-file includes A Clave Única de Registro de Población or CRUP, which is a unique identification number assigned to GOVEA-MONARCA in Mexico. The A-file also include statements GOVEA-MONARCA made admitting to being a Mexican citizen when interviewed by law enforcement.

13. Records checks of Person Centric Query Service (PCQS), Central Index System (CIS), and other federal databases indicate that GOVEA-MONARCA has never applied for permission from the Attorney General or Secretary of the Department of Homeland Security to re-enter the United States after his prior order of removal.

14. GOVEA-MONARCA ultimately pleaded guilty to second degree recklessly endangering safety in Brown County Circuit Court Case No. 2021CF721.

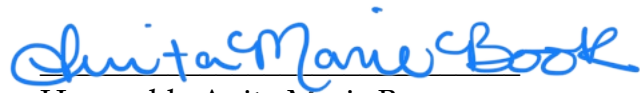
GOVEA-MONARCA was released from Wisconsin state prison into ICE custody on April 9, 2025.

15. Based on the foregoing, there is probable cause to believe that on or about November 29, 2023, GOVEA-MONARCA violated Title 8, United States Code, Section 1326 (Re-entry of previously removed aliens). Accordingly, I respectfully request that the Court issue a complaint charging GOVEA-MONARCA with that crime.

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Brett Kubiszewski  
Deportation Officer Immigration and  
Customs Enforcement

Subscribed to and sworn <sup>telephonically</sup>~~before~~ me this 14 day of April 2025.

  
Honorable Anita Marie Boor  
United States Magistrate Judge